

Application No. 10/806,802
Amendment "B" dated March 10, 2006
Reply to Office Action of February 3, 2006

REMARKS

Claims 1-22 remain pending in the application, wherein claims 1, 4-6, 13, 21 and 22 have been amended. No claims were added or cancelled. Reconsideration and allowance of the above-identified application are respectfully requested in view of the foregoing amendments and the following remarks.

The Office Action indicates that dependent claims 4 and 5 define patentable subject matter (*i.e.*, the art of record neither teaches nor suggests a sludge harvester that includes a pin mixer or auger for breaking up a sludge layer of a sludge pond). Accordingly, each of independent claims 1, 13, 21 and 22 has been amended to specifically recite that the sludge harvester includes at least one of a pin mixer or auger. Support for claiming "at least one" is found in original claim 13 (*i.e.*, claim 13 defines a sludge harvester that includes a "at least one of a pin mixer, auger or rake, meaning that the sludge harvester may include a pin mixer, auger or rake, or any combination thereof). Claims 4 and 5 were amended to affirmatively require a pin mixer or auger, respectively, rather than merely one or the other as in claim 1. Claim 6 was amended to recite a rake in addition to the required pin mixer or auger.

Because the independent claims as amended define subject matter already deemed to be patentable over the art of record, this amendment is suitable for entry after final rejection under Rule 116.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or that may be overcome by examiner amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 10th day of March 2006.

Respectfully submitted,



JOHN M. GYNN
Registration No. 36,153

WORKMAN NYDEGGER
Attorneys for Applicant
Customer No. 022913

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